

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KELLY CAHILL, SARA JOHNSTON,  
LINDSAY ELIZABETH, and HEATHER  
HENDER, individually and on behalf of  
others similarly situated,

No. 3:18-cv-01477-JR

ORDER

Plaintiffs,

v.

NIKE, INC., an Oregon Corporation,

Defendant.

HERNÁNDEZ, District Judge,

Magistrate Judge Jolie A. Russo issued an Order on April 29, 2024, in which she granted Plaintiffs' emergency request for a Rule 16 Conference, ECF 432; granted in part and denied in part Defendant's Motion for Protective Order and Motion to Quash, ECF 443; granted in part and denied in part Defendant's Motion to Compel, ECF 445; denied Plaintiffs' Motion to Compel, ECF 451; and granted in part and denied in part Defendant's Motion to Compel, ECF

447. On May 13, 2024, Plaintiffs filed Objections to the portion of the Order denying Plaintiffs' Motion to Compel, ECF 451. The matter is now before the Court pursuant to Federal Rule of Civil Procedure 72(a).

In accordance with Rule 72(a), “[w]hen a pretrial matter not dispositive of a party’s claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision.” Fed. R. Civ. P. 72(a). The standard of review for an order with objections is “clearly erroneous” or “contrary to law.” 28 U.S.C. § 636(b)(1)(A) (applying the “clearly erroneous or contrary to law” standard of review for non-dispositive motions). If a ruling on a motion is not determinative of “a party’s claim or defense,” it is not dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

The Court has carefully considered Plaintiffs’ objections and concludes they do not provide a basis to modify the Magistrate Judge’s Order.

### CONCLUSION

The Court AFFIRMS Magistrate Judge Russo’s Order, ECF 480.

IT IS SO ORDERED.

DATED: June 20, 2024.

  
MARCO A. HERNÁNDEZ  
United States District Judge